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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,691	02/27/2002	Peter W. Utecht	878	6392

7590 09/28/2004
Donald J. Ersler
725 Garvens Avenue
Brookfield, WI 53005

EXAMINER

HAUGLAND, SCOTT J

ART UNIT PAPER NUMBER

3654

DATE MAILED: 09/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/084,691

Applicant(s)

UTECHT ET AL.

Examiner

Scott Haugland

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 20-22, 24-29, 31-35, and 37-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cochran et al in view of Egerstrom.

Cochran et al discloses a skid steer vehicle having a quick release mounting member 10 for detachably connecting a base frame (of 18) to the vehicle. The base frame is provided with top retention plates 20, lower slotted retention plates 24, and locking pins 38.

Cochran does not disclose providing a skid steer vehicle with a hose reel.

Egerstrom teaches providing a vehicle with a hydraulic reel comprising a base frame 18,20, a reel base 76 including upright members 84, a reel 28 holding a length of hose 44, and a hydraulic motor 62. The reel 28 is supported by a hollow axle 38 having a hose outlet (portion of hose 44 between axle 38 and jointing means 50). The reel has an opening 46 through which the hose passes for connection to the hose outlet. See Fig. 2. One end of the axle is sealed. A rotary union 60 attached to the other end. A pair of bearings (see claim 3 of Egerstrom) supports the axle on the reel base. The

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apparatus includes hose guide 120 one end of which extends from the reel base. A pulley 148 is mounted on the other end.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide Cochran et al with a base frame mountable to the quick release mounting having a hose reel and hose guiding apparatus as taught by Egerstrom to permit the transport of a hose reel using the skid steer vehicle of Cochran et al in addition to the other handling devices which the vehicle of Cochran et al is capable of transporting, thus permitting the hose reel to be carried over terrain more suited to the use of a skid steer vehicle. It would have been further obvious to drive the hydraulic motor with hydraulic oil from the skid steer vehicle to eliminate the need for a duplicate pump.

With regard to claims 24, 31, and 37, it would have been obvious to provide a hydraulic valve for controlling flow of hydraulic oil to the hydraulic motor 62, such valves being well known in the art for controlling operation of motors.

With regard to claims 27 and 34, it would have been obvious to use roller bearings to support the reel since it is old and well known to use roller bearings to support rotary shafts with minimal friction and wear.

Response to Arguments

Applicant's arguments filed 7/12/04 have been fully considered but they are not persuasive. The examiner maintains the position set forth in the response to Applicants' previous arguments.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Haugland whose telephone number is (703) 305-6498. The examiner can normally be reached on Monday - Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (703) 308-2688. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


sjh
9/22/04


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